

# University of Miami Law Review

---

Volume 43 | Number 5

Article 10

---

5-1-1989

## Volume Index

Follow this and additional works at: <https://repository.law.miami.edu/umlr>

---

### Recommended Citation

*Volume Index*, 43 U. Miami L. Rev. 1263 (1989)

Available at: <https://repository.law.miami.edu/umlr/vol43/iss5/10>

This Index is brought to you for free and open access by the Journals at University of Miami School of Law Institutional Repository. It has been accepted for inclusion in University of Miami Law Review by an authorized editor of University of Miami School of Law Institutional Repository. For more information, please contact [library@law.miami.edu](mailto:library@law.miami.edu).

**INDEX—VOLUME 43**  
**ARTICLES INDEX**  
**Volume 43**

	<i>Page</i>
ARE CITIZENS JUSTIFIED IN BEING SUSPICIOUS OF THE LAW AND THE LEGAL SYSTEM?: <i>William J. Brennan, Jr.</i> .....	981
CAN ANY LEGAL THEORY CONSTRAIN ANY JUDICIAL DECISION?: <i>Anthony D'Amato</i> .....	513
THE CONGRESS: FRIEND OR FOE IN FOREIGN POLICY?: <i>Richard Perle</i> .....	91
CONSTITUTIONAL FIDELITY AND FOREIGN AFFAIRS: <i>Edwin Meese, III</i> .....	223
CRITICAL LEGAL STUDIES, ECONOMIC REALISM, AND THE THEORY OF THE FIRM: <i>Robert A. Black, Rosalie S. Kreider, and Mark Sullivan</i> .....	343
DEMOCRACY AND DETERMINACY: AN ESSAY ON LEGAL INTERPRETATION: <i>Allan C. Hutchinson</i> .....	541
DISTILLING THE WITCHES' BREW OF FAIR USE IN COPYRIGHT LAW: <i>Jay Dratler, Jr.</i> .....	233
DO WE HAVE AN IMPERIAL CONGRESS?: <i>John Norton Moore</i> .....	139
ETHICAL SOAP: <i>L.A. LAW</i> AND THE PRIVILEGING OF CHARACTER: <i>Robert Eli Rosen</i> .....	1229
THE FIRST AMENDMENT AND NATIONAL SECURITY: <i>Floyd Abrams, Henry Mark Holzer, Don Oberdorfer, and Richard K. Willard</i> .....	61
FORFEITURE OF ATTORNEYS' FEES UNDER RICO AND CCE AND THE RIGHT TO COUNSEL OF CHOICE: THE CONSTITUTIONAL DILEMMA AND HOW TO AVOID IT: <i>Bruce J. Winick</i> .....	765
FORGING A BIPARTISAN AND STRATEGIC APPROACH TO FOREIGN AFFAIRS: <i>Zbigniew Brzezinski</i> .....	5
POSTPETITION INTEREST UNDER THE BANKRUPTCY CODE: <i>David Gray Carlson</i> ...	577
THE PRESIDENT'S POWERS AS COMMANDER-IN-CHIEF VERSUS CONGRESS' WAR POWER AND APPROPRIATIONS POWER: <i>Charles Bennett, Arthur B. Culvahouse, Jr., Geoffrey P. Miller, William Bradford Reynolds, and William Van Alstyne</i> ...	17
THE ROLE OF INTELLIGENCE IN A FREE SOCIETY: <i>William H. Webster</i> .....	155
RUNNING ON EMPTY: JUSTICE BRENNAN'S PLEA, THE EMPTY STATE, THE CITY OF RICHMOND, AND THE PROFESSION: <i>Kenneth Casebeer</i> .....	989
SPEAKING OF SILENCE: <i>Martha Minow</i> .....	493
THE TREATY POWER: <i>Harold Hongju Koh, John Nowak, Grover Joseph Rees, and Abraham D. Sofaer</i> .....	101
THE VIRTUES AND VICES OF DEMOCRACY IN CONDUCTING FOREIGN AFFAIRS: <i>Godfrey Hodgson, Irving Kristol, and Gordon Tullock</i> .....	211
WHAT THE CONSTITUTION MEANS BY EXECUTIVE POWER: <i>Charles J. Cooper, Orrin Hatch, Eugene V. Rostow, and Michael Tigar</i> .....	165

## AUTHORS INDEX

### Volume 43

	Page
ABRAMS, FLOYD: <i>The First Amendment and National Security</i> .....	61
BENNETT, CHARLES: <i>The President's Powers as Commander-in-Chief Versus Congress' War Power and Appropriations Power</i> .....	17
BLACK, ROBERT A.: <i>Critical Legal Studies, Economic Realism, and the Theory of the Firm</i> .....	343
BRENNAN, WILLIAM J. JR.: <i>Are Citizens Justified in Being Suspicious of the Law and the Legal System</i> .....	981
BRZEZINSKI, ZBIGNIEW: <i>Forging a Bipartisan and Strategic Approach to Foreign Affairs</i> .....	5
CARLSON, DAVID GRAY: <i>Postpetition Interest Under the Bankruptcy Code</i> .....	577
CASEBEER, KENNETH: <i>Running on Empty: Justice Brennan's Plea, the Empty State, the City of Richmond, and the Profession</i> .....	989
COOPER, CHARLES J.: <i>What the Constitution Means by Executive Power</i> .....	165
CULVAHOUSE, ARTHUR B. JR.: <i>The President's Powers as Commander-in-Chief Versus Congress' War Power and Appropriations Power</i> .....	17
D'AMATO, ANTHONY: <i>Can Any Legal Theory Constrain Any Judicial Decision?</i> ....	513
DRATLER, JAY JR.: <i>Distilling the Witches' Brew of Fair Use in Copyright Law</i> .....	233
HATCH, ORRIN: <i>What the Constitution Means by Executive Power</i> .....	165
HODGSON, GODFREY: <i>The Virtues and Vices of Democracy in Conducting Foreign Affairs</i> .....	211
HOLZER, HENRY MARK: <i>The First Amendment and National Security</i> .....	61
HUTCHINSON, ALLAN C.: <i>Democracy and Determinancy: An Essay on Legal Interpretation</i> .....	541
KOH, HAROLD HONGJU: <i>The Treaty Power</i> .....	101
KREIDER, ROSALIE S.: <i>Critical Legal Studies, Economic Realism, and the Theory of the Firm</i> .....	343
KRISTOL, IRVING: <i>The Virtues and Vices of Democracy in Conducting Foreign Affairs</i> .....	211
MEESE, EDWIN III: <i>Constitutional Fidelity and Foreign Affairs</i> .....	223
MILLER, GEOFFREY P.: <i>The President's Powers as Commander-in-Chief Versus Congress' War Power and Appropriations Power</i> .....	17
MINOW, MARTHA: <i>Speaking of Silence</i> .....	493
MOORE, JOHN NORTON: <i>Do We Have an Imperial Congress?</i> .....	139
NOWAK, JOHN: <i>The Treaty Power</i> .....	101
OBERDORFER, DON: <i>The First Amendment and National Security</i> .....	61
PERLE, RICHARD: <i>The Congress: Friend or Foe in Foreign Policy</i> .....	91
REES, GROVER JOSEPH: <i>The Treaty Power</i> .....	101
REYNOLDS, WILLIAM BRADFORD: <i>The President's Powers as Commander-in-Chief Versus Congress' War Power and Appropriations Power</i> .....	17
ROSEN, ROBERT ELI: <i>Ethical Soap: L.A. Law and the Privileging of Character</i> .....	1229
ROSTOW, EUGENE V.: <i>What the Constitution Means by Executive Power</i> .....	165
SOFAER, ABRAHAM D.: <i>The Treaty Power</i> .....	101
SULLIVAN, MARK: <i>Critical Legal Studies, Economic Realism, and the Theory of the Firm</i> .....	343
TIGAR, MICHAEL: <i>What the Constitution Means by Executive Power</i> .....	165
TULLOCK, GORDON: <i>The Virtues and Vices of Democracy in Conducting Foreign Affairs</i> .....	211
VAN ALSTYNE, WILLIAM: <i>The President's Powers as Commander-in-Chief Versus Congress' War Power and Appropriations Power</i> .....	17
WEBSTER, WILLIAM H.: <i>The Role of Intelligence in a Free Society</i> .....	155
WILLARD, RICHARD K.: <i>The First Amendment and National Security</i> .....	6
WINICK, BRUCE J.: <i>Forfeiture of Attorneys' Fees Under RICO and CCE and the Right to Counsel of Choice: The Constitutional Dilemma and How to Avoid It</i> .....	765

**STUDENT WORKS INDEX**  
**Volume 43**

	<i>Page</i>
THE ACT OF STATE DOCTRINE: RECONCILING JUSTICE AND DIPLOMACY ON A CASE-BY-CASE BASIS: <i>Kathleen Karelis</i> .....	1169
THE ANTI-TERRORISM ACT OF 1987 AND AMERICAN FREEDOMS: A CRITICAL REVIEW: <i>Lance A. Harke</i> .....	667
THE BASICS OF DISCLOSURE: THE MARKET FOR INFORMATION IN THE MARKET FOR CORPORATE CONTROL: <i>James Harlan Koenig</i> .....	1021
DECREASING THE RISKS INHERENT IN CLAIMS FOR INCREASED RISK OF FUTURE DISEASE: <i>David P.C. Ashton</i> .....	1081
ESCHEAT OF INDIAN LAND AS A FIFTH AMENDMENT TAKING IN <i>HODEL V. IRVING</i> : A NEW APPROACH TO INHERITANCE?: <i>Suzanne S. Schmid</i> .....	739
EXTRATERRITORIAL JURISDICTION AND INTERNATIONAL BANKING: A CONFLICT OF INTERESTS: <i>Silvia B. Piñera-Vázquez</i> .....	449
THE FCC'S REGULATION OF BROADCAST INDECENCY: A BROADENED APPROACH FOR REMOVING IMMORALITY FROM THE AIRWAVES: <i>Jay A. Gayoso</i> .....	871
THE MCCARRAN-WALTER ACT AND IDEOLOGICAL EXCLUSION: A CALL FOR REFORM: <i>Alison E. Clasby</i> .....	1141
REVENUE RULING 87-124: TREASURY'S FLAWED INTERPRETATION OF DEBT-FOR-NATURE SWAPS: <i>Ronny Jay Halperin</i> .....	721
RICO'S FORFEITURE PROVISION: A FIRST AMENDMENT RESTRAINT ON ADULT BOOKSTORES: <i>Ana Maria Marin</i> .....	419
THE RIGHT TO COUNSEL AND FRIVOLOUS APPEALS: ASSISTANCE TO THE COURT OR ADVOCACY FOR THE INDIGENT CLIENT—WHICH IS THE REAL <i>McCoy</i> ?: <i>Eduardo I. Sánchez</i> .....	921
THE SEVENTH AMENDMENT RIGHT TO JURY TRIAL IN CIVIL PENALTIES ACTIONS: A POST- <i>TULL</i> EXAMINATION OF THE INSIDER TRADING SANCTIONS ACT OF 1984: <i>Erica Clements</i> .....	361
TEMPORARY REGULATORY TAKING UNDER THE FLORIDA LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT: <i>Dennis Mele</i> .....	1203
<i>UNITED STATES V. SHAW</i> : WHAT CONSTITUTES AN "INJURY" UNDER THE FEDERAL RAPE-SHIELD STATUTE?: <i>Kathleen Winters</i> .....	947

## SUBJECT INDEX

## Volume 43

- APPELLATE PRACTICE  
 THE RIGHT TO COUNSEL AND FRIVOLOUS APPEALS: ASSISTANCE TO THE COURT OR ADVOCACY FOR THE INDIGENT CLIENT—WHICH IS THE REAL *McCoy*? ..... 921
- ATTORNEY'S FEES  
 FORFEITURE OF ATTORNEYS' FEES UNDER RICO AND CCE AND THE RIGHT TO COUNSEL OF CHOICE: THE CONSTITUTIONAL DILEMMA AND HOW TO AVOID IT ..... 765
- BANKRUPTCY LAW  
 POSTPETITION INTEREST UNDER THE BANKRUPTCY CODE ..... 577
- BROADCAST REGULATION  
 THE FCC'S REGULATION OF BROADCAST INDECENCY: A BROADENED APPROACH FOR REMOVING IMMORALITY FROM THE AIRWAVES ..... 871
- CIVIL RIGHTS  
 ARE CITIZENS JUSTIFIED IN BEING SUSPICIOUS OF THE LAW AND THE LEGAL SYSTEM? ..... 981  
 RUNNING ON EMPTY: JUSTICE BRENNAN'S PLEA, THE EMPTY STATE, THE *CITY OF RICHMOND*, AND THE PROFESSION ..... 989  
 SPEAKING OF SILENCE ..... 493
- CONFLICT OF LAWS  
 THE ACT OF STATE DOCTRINE: RECONCILING JUSTICE AND DIPLOMACY ON A CASE-BY-CASE BASIS ..... 1169
- CONGRESSIONAL POWER  
 THE ACT OF STATE DOCTRINE: RECONCILING JUSTICE AND DIPLOMACY ON A CASE-BY-CASE BASIS ..... 1169  
 THE ANTI-TERRORISM ACT OF 1987 AND AMERICAN FREEDOMS: A CRITICAL REVIEW ..... 667  
 THE CONGRESS: FRIEND OR FOE IN FOREIGN POLICY? ..... 91  
 CONSTITUTIONAL FIDELITY AND FOREIGN AFFAIRS ..... 223
- DO WE HAVE AN IMPERIAL CONGRESS? ..... 139
- FORGING A BIPARTISAN AND STRATEGIC APPROACH TO FOREIGN AFFAIRS ..... 5
- THE PRESIDENT'S POWERS AS COMMANDER-IN-CHIEF VERSUS CONGRESS' WAR POWER AND APPROPRIATIONS POWER ..... 17
- THE TREATY POWER ..... 101
- THE VIRTUES AND VICES OF DEMOCRACY IN CONDUCTING FOREIGN AFFAIRS ..... 211
- WHAT THE CONSTITUTION MEANS BY EXECUTIVE POWER ..... 165
- COPYRIGHT LAW  
 DISTILLING THE WITCHES' BREW OF FAIR USE IN COPYRIGHT LAW ..... 233
- CORPORATIONS  
 THE *BASICS* OF DISCLOSURE: THE MARKET FOR INFORMATION IN THE MARKET FOR CORPORATE CONTROL ..... 1021
- THE SEVENTH AMENDMENT RIGHT TO JURY TRIAL IN CIVIL PENALTIES ACTIONS: A POST-*TULL* EXAMINATION OF THE INSIDER TRADING SANCTIONS ACT OF 1984 ..... 361
- CRIMINAL LAW  
 FORFEITURE OF ATTORNEYS' FEES UNDER RICO AND CCE AND THE RIGHT TO COUNSEL OF CHOICE: THE CONSTITUTIONAL DILEMMA AND HOW TO AVOID IT ..... 765
- THE RIGHT TO COUNSEL AND FRIVOLOUS APPEALS: ASSISTANCE TO THE COURT OR ADVOCACY FOR THE INDIGENT CLIENT—WHICH IS THE REAL *McCoy*? ..... 921
- UNITED STATES v. SHAW*: WHAT CONSTITUTES AN "INJURY" UNDER THE FEDERAL RAPE-SHIELD STATUTE? ..... 947
- CRITICAL LEGAL STUDIES  
 CAN ANY LEGAL THEORY CONSTRAIN ANY JUDICIAL DECISION? ..... 513

- CRITICAL LEGAL STUDIES, ECONOMIC REALISM, AND THE THEORY OF THE FIRM ..... 343
- DEMOCRACY AND DETERMINACY: AN ESSAY ON LEGAL INTERPRETATION ..... 541
- ENVIRONMENTAL LAW
- REVENUE RULING 87-124: TREASURY'S FLAWED INTERPRETATION OF DEBT-FOR-NATURE SWAPS .. 721
- TEMPORARY REGULATORY TAKING UNDER THE FLORIDA LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT ..... 1203
- EVIDENCE
- UNITED STATES v. SHAW*: WHAT CONSTITUTES AN "INJURY" UNDER THE FEDERAL RAPE-SHIELD STATUTE? ..... 947
- EXECUTIVE POWER
- THE ACT OF STATE DOCTRINE: RECONCILING JUSTICE AND DIPLOMACY ON A CASE-BY-CASE BASIS ..... 1169
- THE ANTI-TERRORISM ACT OF 1987 AND AMERICAN FREEDOMS: A CRITICAL REVIEW ..... 667
- THE CONGRESS: FRIEND OR FOE IN FOREIGN POLICY? ..... 91
- CONSTITUTIONAL FIDELITY AND FOREIGN AFFAIRS ..... 223
- DO WE HAVE AN IMPERIAL CONGRESS? ..... 139
- FORGING A BIPARTISAN AND STRATEGIC APPROACH TO FOREIGN AFFAIRS ..... 5
- THE PRESIDENT'S POWERS AS COMMANDER-IN-CHIEF VERSUS CONGRESS' WAR POWER AND APPROPRIATIONS POWER ..... 17
- THE TREATY POWER ..... 101
- THE VIRTUES AND VICES OF DEMOCRACY IN CONDUCTING FOREIGN AFFAIRS ..... 211
- WHAT THE CONSTITUTION MEANS BY EXECUTIVE POWER ..... 165
- FIFTH AMENDMENT
- ESCHEAT OF INDIAN LAND AS A FIFTH AMENDMENT TAKING IN *HODEL v. IRVING*: A NEW APPROACH TO INHERITANCE? ..... 739
- TEMPORARY REGULATORY TAKING UNDER THE FLORIDA LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT ..... 1203
- FIRST AMENDMENT
- THE ANTI-TERRORISM ACT OF 1987 AND AMERICAN FREEDOMS: A CRITICAL REVIEW ..... 667
- DISTILLING THE WITCHES' BREW OF FAIR USE IN COPYRIGHT LAW ..... 233
- THE FCC'S REGULATION OF BROADCAST INDECENCY: A BROADENED APPROACH FOR REMOVING IMMORALITY FROM THE AIRWAVES ..... 871
- THE FIRST AMENDMENT AND NATIONAL SECURITY ..... 61
- FORFEITURE OF ATTORNEYS' FEES UNDER RICO AND CCE AND THE RIGHT TO COUNSEL OF CHOICE: THE CONSTITUTIONAL DILEMMA AND HOW TO AVOID IT ..... 765
- THE MCCARRAN-WALTER ACT AND IDEOLOGICAL EXCLUSION: A CALL FOR REFORM ..... 1141
- RICO'S FORFEITURE PROVISION: A FIRST AMENDMENT RESTRAINT ON ADULT BOOKSTORES ..... 419
- FLORIDA LAW
- TEMPORARY REGULATORY TAKING UNDER THE FLORIDA LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT ..... 1203
- FOREIGN AFFAIRS
- THE ACT OF STATE DOCTRINE: RECONCILING JUSTICE AND DIPLOMACY ON A CASE-BY-CASE BASIS ..... 1169
- THE ANTI-TERRORISM ACT OF 1987 AND AMERICAN FREEDOMS: A CRITICAL REVIEW ..... 667
- THE CONGRESS: FRIEND OR FOE IN FOREIGN POLICY? ..... 91
- CONSTITUTIONAL FIDELITY AND FOREIGN AFFAIRS ..... 223
- DO WE HAVE AN IMPERIAL CONGRESS? ..... 139
- EXTRATERRITORIAL JURISDICTION AND INTERNATIONAL BANKING: A CONFLICT OF INTERESTS ..... 449

THE FIRST AMENDMENT AND NATIONAL SECURITY .....	61	INTELLIGENCE	
FORGING A BIPARTISAN AND STRATEGIC APPROACH TO FOREIGN AFFAIRS.....	5	THE ROLE OF INTELLIGENCE IN A FREE SOCIETY .....	155
THE MCCARRAN-WALTER ACT AND IDEOLOGICAL EXCLUSION: A CALL FOR REFORM .....	1141	INTERNATIONAL LAW	
THE PRESIDENT'S POWERS AS COMMANDER-IN-CHIEF VERSUS CONGRESS' WAR POWER AND APPROPRIATIONS POWER.....	17	THE ACT OF STATE DOCTRINE: RECONCILING JUSTICE AND DIPLOMACY ON A CASE-BY-CASE BASIS .....	1169
THE ROLE OF INTELLIGENCE IN A FREE SOCIETY .....	155	THE ANTI-TERRORISM ACT OF 1987 AND AMERICAN FREEDOMS: A CRITICAL REVIEW .....	667
THE TREATY POWER .....	101	EXTRATERRITORIAL JURISDICTION AND INTERNATIONAL BANKING: A CONFLICT OF INTERESTS .....	449
THE VIRTUES AND VICES OF DEMOCRACY IN CONDUCTING FOREIGN AFFAIRS.....	211	THE MCCARRAN-WALTER ACT AND IDEOLOGICAL EXCLUSION: A CALL FOR REFORM .....	1141
WHAT THE CONSTITUTION MEANS BY EXECUTIVE POWER.....	165	REVENUE RULING 87-124: TREASURY'S FLAWED INTERPRETATION OF DEBT-FOR-NATURESWAPS ...	721
HEALTH LAW		JUDICIAL POWER	
DECREASING THE RISKS INHERENT IN CLAIMS FOR INCREASED RISK OF FUTURE DISEASE.....	1081	THE ACT OF STATE DOCTRINE: RECONCILING JUSTICE AND DIPLOMACY ON A CASE-BY-CASE BASIS .....	1169
IMMIGRATION		THE ANTI-TERRORISM ACT OF 1987 AND AMERICAN FREEDOMS: A CRITICAL REVIEW .....	667
THE MCCARRAN-WALTER ACT AND IDEOLOGICAL EXCLUSION: A CALL FOR REFORM .....	1141	EXTRATERRITORIAL JURISDICTION AND INTERNATIONAL BANKING: A CONFLICT OF INTERESTS .....	449
INDECENCY		JURISDICTION	
THE FCC'S REGULATION OF BROADCAST INDECENCY: A BROADENED APPROACH FOR REMOVING IMMORALITY FROM THE AIRWAVES .....	871	EXTRATERRITORIAL JURISDICTION AND INTERNATIONAL BANKING: A CONFLICT OF INTERESTS .....	449
INSIDER TRADING		JURY TRIAL	
THE <i>BASICS</i> OF DISCLOSURE: THE MARKET FOR INFORMATION IN THE MARKET FOR CORPORATE CONTROL .....	1021	FORFEITURE OF ATTORNEYS' FEES UNDER RICO AND CCE AND THE RIGHT TO COUNSEL OF CHOICE: THE CONSTITUTIONAL DILEMMA AND HOW TO AVOID IT.....	765
THE SEVENTH AMENDMENT RIGHT TO JURY TRIAL IN CIVIL PENALTIES ACTIONS: A POST- <i>TULL</i> EXAMINATION OF THE INSIDER TRADING SANCTIONS ACT OF 1984 .....	361	THE SEVENTH AMENDMENT RIGHT TO JURY TRIAL IN CIVIL PENALTIES ACTIONS: A POST- <i>TULL</i> EXAMINATION OF THE INSIDER TRADING SANCTIONS ACT OF 1984 .....	361
INSURANCE		LAND USE PLANNING	
DECREASING THE RISKS INHERENT IN CLAIMS FOR INCREASED RISK OF FUTURE DISEASE.....	1081	TEMPORARY REGULATORY TAKING UNDER THE FLORIDA LOCAL GOVERNMENT COMPREHENSIVE	

PLANNING AND LAND DEVELOPMENT REGULATION ACT .....	1203	<i>HODEL V. IRVING: A NEW APPROACH TO INHERITANCE?</i> .....	739
<b>LAW AND ECONOMICS</b>		<b>OBSCENITY</b>	
CAN ANY LEGAL THEORY CONSTRAIN ANY JUDICIAL DECISION? .....	513	THE FCC'S REGULATION OF BROADCAST INDECENCY: A BROADENED APPROACH FOR REMOVING IMMORALITY FROM THE AIRWAVES .....	871
CRITICAL LEGAL STUDIES, ECONOMIC REALISM, AND THE THEORY OF THE FIRM .....	343	RICO'S FORFEITURE PROVISION: A FIRST AMENDMENT RESTRAINT ON ADULT BOOKSTORES .....	419
DEMOCRACY AND DETERMINACY: AN ESSAY ON LEGAL INTERPRETATION .....	541		
<b>LEGAL PROFESSION</b>		<b>PERSONAL INJURY</b>	
ARE CITIZENS JUSTIFIED IN BEING SUSPICIOUS OF THE LAW AND THE LEGAL SYSTEM? .....	981	DECREASING THE RISKS INHERENT IN CLAIMS FOR INCREASED RISK OF FUTURE DISEASE .....	1081
ETHICAL SOAP: <i>L.A. LAW</i> AND THE PRIVILEGING OF CHARACTER ...	1229	<b>RAPE</b>	
FORFEITURE OF ATTORNEYS' FEES UNDER RICO AND CCE AND THE RIGHT TO COUNSEL OF CHOICE: THE CONSTITUTIONAL DILEMMA AND HOW TO AVOID IT .....	765	<i>UNITED STATES V. SHAW: WHAT CONSTITUTES AN "INJURY" UNDER THE FEDERAL RAPE-SHIELD STATUTE?</i> .....	
THE RIGHT TO COUNSEL AND FRIVOLOUS APPEALS: ASSISTANCE TO THE COURT OR ADVOCACY FOR THE INDIGENT CLIENT—WHICH IS THE REAL <i>McCoy</i> ? .....	921	947	
RUNNING ON EMPTY: JUSTICE BRENNAN'S PLEA, THE EMPTY STATE, THE <i>CITY OF RICHMOND</i> , AND THE PROFESSION .....	989	<b>RICO FORFEITURE</b>	
		FORFEITURE OF ATTORNEYS' FEES UNDER RICO AND CCE AND THE RIGHT TO COUNSEL OF CHOICE: THE CONSTITUTIONAL DILEMMA AND HOW TO AVOID IT .....	
		765	
		RICO'S FORFEITURE PROVISION: A FIRST AMENDMENT RESTRAINT ON ADULT BOOKSTORES .....	
		419	
<b>LEGAL ETHICS</b>		<b>RIGHT TO COUNSEL</b>	
ARE CITIZENS JUSTIFIED IN BEING SUSPICIOUS OF THE LAW AND THE LEGAL SYSTEM? .....	981	FORFEITURE OF ATTORNEYS' FEES UNDER RICO AND CCE AND THE RIGHT TO COUNSEL OF CHOICE: THE CONSTITUTIONAL DILEMMA AND HOW TO AVOID IT .....	
RUNNING ON EMPTY: JUSTICE BRENNAN'S PLEA, THE EMPTY STATE, THE <i>CITY OF RICHMOND</i> , AND THE PROFESSION .....	989	765	
ETHICAL SOAP: <i>L.A. LAW</i> AND THE PRIVILEGING OF CHARACTER ...	1229	THE RIGHT TO COUNSEL AND FRIVOLOUS APPEALS: ASSISTANCE TO THE COURT OR ADVOCACY FOR THE INDIGENT CLIENT—WHICH IS THE REAL <i>McCoy</i> ? .....	
		921	
<b>LEGAL THEORY</b>		<b>SECURITIES REGULATION</b>	
CAN ANY LEGAL THEORY CONSTRAIN ANY JUDICIAL DECISION? .....	513	THE <i>BASICS</i> OF DISCLOSURE: THE MARKET FOR INFORMATION IN THE MARKET FOR CORPORATE CONTROL .....	
DEMOCRACY AND DETERMINACY: AN ESSAY ON LEGAL INTERPRETATION .....	541	1021	
<b>NATIVE AMERICANS</b>		THE SEVENTH AMENDMENT RIGHT TO JURY TRIAL IN CIVIL PENALTIES ACTIONS: A POST- <i>TULL</i> EXAMINATION OF THE INSIDER TRADING SANCTIONS ACT OF 1984 .....	
ESCHEAT OF INDIAN LAND AS A FIFTH AMENDMENT TAKING IN		361	



## SEVENTH AMENDMENT

- THE SEVENTH AMENDMENT RIGHT  
TO JURY TRIAL IN CIVIL PENAL-  
TIES ACTIONS: A POST-*TULL* EX-  
AMINATION OF THE INSIDER  
TRADING SANCTIONS ACT OF  
1984 ..... 361

## SIXTH AMENDMENT

- FORFEITURE OF ATTORNEYS' FEES  
UNDER RICO AND CCE AND THE  
RIGHT TO COUNSEL OF CHOICE:  
THE CONSTITUTIONAL DILEMMA  
AND HOW TO AVOID IT ..... 765
- THE RIGHT TO COUNSEL AND FRIV-  
OLOUS APPEALS: ASSISTANCE TO  
THE COURT OR ADVOCACY FOR  
THE INDIGENT CLIENT—WHICH  
IS THE REAL *McCoy*? ..... 921

## TAKINGS LAW

- ESCHEAT OF INDIAN LAND AS A  
FIFTH AMENDMENT TAKING IN  
*HODEL V. IRVING*: A NEW AP-  
PROACH TO INHERITANCE? ..... 739
- TEMPORARY REGULATORY TAKING  
UNDER THE FLORIDA LOCAL  
GOVERNMENT COMPREHENSIVE  
PLANNING AND LAND DEVELOP-  
MENT REGULATION ACT ..... 1203

## TAX LAW

- REVENUE RULING 87-124: TREAS-  
URY'S FLAWED INTERPRETATION  
OF DEBT-FOR-NATURESWAPS ... 721

## TELEVISION AND THE LAW

- ETHICAL SOAP: *L.A. LAW* AND  
THE PRIVILEGING OF CHARAC-  
TER ..... 1229